

DRAFT MINUTES  
OF THE CITY COUNCIL  
OF THE  
CITY OF GREENSBORO, N. C.

REGULAR MEETING

16 APRIL 2002

The City Council of the City of Greensboro met in regular session at 6:00 p.m. on the above date in the Council Chamber of the Melvin Municipal Office Building with the following members present: Mayor Keith A. Holliday, presiding; Council members Claudette Burroughs-White, Sandra G. Carmany, Florence F. Gatten, Belvin J. Jessup, Yvonne J. Johnson, Robert V. Perkins, Thomas M. Phillips, and Donald R. Vaughan. Absent: None. Also present were J. Edward Kitchen, City Manager; Linda A. Miles, City Attorney; and Susan E. Crofts, Deputy City Clerk.

The meeting was opened with a moment of silence and the pledge of allegiance to the flag.

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The City Manager recognized Jay Jones, employee from the Management Information Systems Department, who served as courier for the meeting.

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Mayor Holliday explained the Council procedure for conduct of the meeting

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City Manager Kitchen stated that as part of a new employee recognition program, he planned to recognize a City employee each month at a City Council meeting for exemplifying the City's core values by going above and beyond the call of duty while working.

The City Manager presented Don Peeler, employee in the Solid Waste Collection Division of the Environmental Services Department, a certificate of appreciation for noticing and assisting a lost child while driving through the city. Council expressed their gratitude to Mr. Peeler for his caring and concern for the community.

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Mayor Holliday stated that this was the time and place set for a public hearing to consider a resolution authorizing on the basis of public necessity sanitary sewer improvements on Church Street from Millikin Street to 420 feet south of Millikin Street.

The Mayor asked if anyone wished to speak to this matter. There being no one present who wished to be heard, Councilmember Vaughan moved adoption of the resolution. The motion was seconded by Councilmember Carmany; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Gatten, Holliday, Jessup, Johnson, Perkins, Phillips, and Vaughan. Noes: None.

**C-258 RESOLUTION ORDERING THE MAKING OF CERTAIN LOCAL IMPROVEMENTS**

**8" SANITARY SEWER MAIN TO BE INSTALLED IN CHURCH STREET FROM MILLIKIN STREET TO 420' SOUTH OF MILLIKIN STREET**

WHEREAS, due notice has been given that on the 16th day of April, 2002 at 6:00 p.m. in the Council Chamber in the Municipal Office Building a public hearing would be held on the improvements hereinafter

described and that all objections to the legality of the making of the improvements are required by law to be made in writing, signed in person or by attorney, and filed with the City Clerk at or before the time of the public hearing; and

WHEREAS, the public hearing has now been held and no objections have been made to the making of the improvements;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

A. That the street or streets hereinabove set out is/are

CHURCH STREET FROM MILLIKIN STREET TO 420' SOUTH OF MILLIKIN STREET

B. That the local improvements to be made on the street or streets set out above are as follows:

Sanitary Sewer Improvements. A sanitary sewer main to be laid on the street or streets hereinabove named within the limits defined, and necessary laterals to be laid for the proper connection of abutting property with the sewer main.

C. That the proportion of the cost of the improvements to be assessed against the abutting property and the terms of payment will be as provided in the Notice of Public Hearing which was served on the owners of the property to be assessed.

D. That this resolution be published one time in a newspaper published in the City of Greensboro as notice of the matters herein set out.

(Signed) Donald R. Vaughan

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The Mayor stated that this was the time and place set for a public hearing to consider a resolution authorizing on the basis of public necessity sanitary sewer improvements on Millikin Street from Church Street to 350 feet east of Church Street.

The Mayor asked if anyone wished to speak to this matter. There being no one present who wished to be heard, Councilmember Gatten moved adoption of the resolution. The motion was seconded by Councilmember Vaughan; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Gatten, Holliday, Jessup, Johnson, Perkins, Phillips, and Vaughan. Noes: None.

#### M-245 RESOLUTION ORDERING THE MAKING OF CERTAIN LOCAL IMPROVEMENTS

8" SANITARY SEWER MAIN TO BE INSTALLED IN MILLIKIN STREET FROM CHURCH STREET TO 350' EAST OF CHURCH STREET

WHEREAS, due notice has been given that on the 16th day of April, 2002 at 6:00 p.m. in the Council Chamber in the Municipal Office Building a public hearing would be held on the improvements hereinafter described and that all objections to the legality of the making of the improvements are required by law to be made in writing, signed in person or by attorney, and filed with the City Clerk at or before the time of the public hearing; and

WHEREAS, the public hearing has now been held and no objections have been made to the making of the improvements;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

A. That the street or streets hereinabove set out is/are

MILLIKIN STREET FROM CHURCH STREET TO 350' EAST OF CHURCH STREET

B. That the local improvements to be made on the street or streets set out above are as follows:

Sanitary Sewer Improvements. A sanitary sewer main to be laid on the street or streets hereinabove named within the limits defined, and necessary laterals to be laid for the proper connection of abutting property with the sewer main.

C. That the proportion of the cost of the improvements to be assessed against the abutting property and the terms of payment will be as provided in the Notice of Public Hearing which was served on the owners of the property to be assessed.

D. That this resolution be published one time in a newspaper published in the City of Greensboro as notice of the matters herein set out.

(Signed) Florence F. Gatten

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After Mayor Holliday introduced the Consent Agenda, Councilmember Vaughan moved that the ordinances, resolutions and motion on the consent agenda be adopted. The motion was seconded by Councilmember Burroughs-White; the Consent Agenda was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Gatten, Holliday, Jessup, Johnson, Perkins, Phillips, and Vaughan. Noes: None.

#### 02-76 AMENDING CHAPTER 2

#### AN ORDINANCE AMENDING CHAPTER 2 OF THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO ADMINISTRATION

#### BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. That Section 2-16 of the Greensboro Code of Ordinances is hereby amended by setting special meetings of the City Council for the purpose of conducting district council meetings as follows: District 2, 6:00 p.m., Thursday, May 16, 2002 at Smith Recreation Center, 2401 Fairview Street; District 3, Thursday, 6:00 p.m., Thursday, August 15, 2002 at Lewis Recreation Center, 3110 Forest Lawn Drive; District 1, 6:00 p.m., Thursday, September 12, 2002 at (LOCATION TO BE DETERMINED); District 4, 6:00 p.m., Thursday, October 24, 2002 at Leonard Recreation Center, 6324 Ballinger Road; and District 5, 6:00 p.m., Thursday, December 5, 2002 at Lindley Recreation Center, 2907 Springwood Drive.

Section 2. That this ordinance is effective immediately upon adoption.

Section 3. That all laws and clauses of laws in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

(Signed) Donald R. Vaughan

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#### 02-77 ORDINANCE AMENDING GENERAL FUND BUDGET FOR FY 2001-2002 PARKS AND RECREATION MABEL SMITH/SMITH SENIOR CENTER PROJECT

#### BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the General Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation for the General Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
101-9590-01.6410	Transfer to Capital Projects Fund	<u>\$41,000</u>
Total		\$41,000

and, that this increase be financed by increasing the following General Fund account:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
101-5007-12.8620	Donations	<u>\$41,000</u>
Total		\$41,000

(Signed) Donald R. Vaughan

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02-78 ORDINANCE AMENDING CAPITAL PROJECTS FUND BUDGET FOR FY 2001-2002 FOR PARKS  
AND RECREATION LAND ACQUISITION

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the Capital Projects Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation for the Capital Projects Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
410-5004-02.6011 CBR (014)	Land	<u>\$41,000</u>
Total		\$41,000

and, that this increase be financed by increasing the following Capital Projects Fund account:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
410-0000-000.9101	Transfer from General Fund	<u>\$41,000</u>
Total		\$41,000

(Signed) Donald R. Vaughan

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79-02 RESOLUTION AUTHORIZING AMENDMENT TO GRANT REIMBURSEMENT AGREEMENT  
STANFORD ROAD EXTENSION (GUILFORD COLLEGE ROAD)

WHEREAS the City and Koury Corporation entered into a Grant Reimbursement Agreement dated the 4th day of January, 1994, whereby the City agreed to reimburse Koury for street construction on Stanford Road Extension within the described Project;

WHEREAS the Agreement has previously been amended on the 7th day of November, 1996;

WHEREAS the parties now desire to further amend the original agreement to include certain sidewalk improvements within the "Project" within the City of Greensboro as an allowable reimbursable item within the "Project"; and

WHEREAS the parties have agreed to make such amendment by adding a paragraph 3.(g.), which incorporates additional funding in the amount of \$158,806.00, to said Agreement, which Agreement is presented herewith this day.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the Grant Reimbursement Agreement for Stanford Road Extension (Guilford College Road) is hereby amended by adding a paragraph 3. (g) which incorporates additional funding for sidewalks in the amount of \$158,806.00, payment to be made in the amount of \$123,674.95 from Account No. 431-6002-38.6014 CBR 067 and in the amount of \$35,131.05 from Account No. 402-4531-01.6019 CBR 009.

(Signed) Donald R. Vaughan

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80-02 RESOLUTION CALLING A PUBLIC HEARING FOR MAY 7, 2002 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – LOCATED AT 5250 HILLTOP ROAD – 17.008 ACRES

WHEREAS, the owner of all the hereinafter described property, which is contiguous to the City of Greensboro, have requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 31 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 7th day of May, 2002, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED AT 5250 HILLTOP ROAD – 17.008 ACRES)

Section 1. Pursuant to G.S. 160A-31, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at a point in the existing Greensboro corporate limits (as of February 28, 2002), said point being the southeast corner of Lot 14 of Wedgewood Acres, as recorded in Plat Book 30, Page 77 in the Office of the Register of Deeds of Guilford County; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS S 85° 06' 00" E 397.94 feet to an iron pipe at the northwest corner of Property of Betty A. Glass, as recorded in Plat Book 60, Page 43 in the Office of the Register of Deeds; THENCE DEPARTING FROM THE EXISTING CITY LIMITS S 04° 43' 30" W 701.88 feet along the west line of Glass to the southwest corner of Glass, a point in the north right-of-way line of Hilltop Road; thence in an westerly direction along said north right-of-way line approximately 1,000 feet to I. Clellie Glass' new southeast corner; thence along Glass' new eastern boundary N 04° 28' 51" E 705.74 feet to a point; thence S 85° 31' 09" E 122.82 feet to a point in the western boundary of the Gate City Baptist Church property acquired by deed recorded in Deed Book 2793, Page 583 in the Office of the Register of Deeds; thence N 04° 28' 51" E 167.43 feet to an iron pipe in the southern boundary of Lot 13 of Wedgewood Acres; thence with the southern line of said Lot 13 and Lot 14 of Wedgewood Acres S 85° 06' 00" E 415.06 feet to the point and place of BEGINNING, and containing approximately 17.01 acres.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior

to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after July 31, 2002, the liability for municipal taxes for the 2002-2003 fiscal year shall be prorated on the basis of 11/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2002. Municipal ad valorem taxes for the 2003-2004 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after July 31, 2002.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That Tuesday, May 7, 2002 at 6:00 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than April 27, 2002.

(Signed) Donald R. Vaughan

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81-02 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT NO. 2002-05 WITH THOMPSON-ARTHUR PAVING COMPANY, INC. FOR STORM SEWER IMPROVEMENTS

WHEREAS, after due notice, bids have been received for storm sewer improvements for various projects throughout the City;

WHEREAS, Thompson-Arthur Paving Company, Inc., a responsible bidder, has submitted the low base and alternate bid in the total amount of \$229,612.88 as general contractor for Contract No. 2002-05, which bid, in the opinion of the City Council, is the best bid from the standpoint of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the bid hereinabove mentioned submitted by Thompson-Arthur Paving Company, Inc. is hereby accepted, and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made from Account No. 403-7002-02.6018 CBR002.

(Signed) Donald R. Vaughan

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82-02 RESOLUTION AUTHORIZING CITY ATTORNEY TO INSTITUTE PROCEEDINGS TO CONDEMN PORTION OF THE PROPERTY OF KYLE-FRAN ALACH, L.L.C., IN CONNECTION WITH THE

NORWALK STREET IMPROVEMENTS PROJECT

WHEREAS, Kyle-Fran Alach, L.L.C. is the owner of certain property located on Rail Street, said property being as shown on the attached map;

WHEREAS, a portion of said property is required by the City in connection with the Norwalk Street Improvements Project;

WHEREAS, negotiations with the owner at the appraised value of \$10,500.00 have been unsuccessful and said portion of property is necessary for said project;

WHEREAS, it is deemed necessary and in the best interest of the City that the City Attorney be authorized to institute civil proceedings to condemn said portion of property and that the Director of Finance be authorized to issue a draft to the Clerk of Superior Court as compensation to the owner in the amount of \$10,500.00;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That, pursuant to Chapter 40A of the North Carolina General Statutes, the City Attorney is hereby authorized to institute condemnation proceedings to acquire said portion of property, and the Director of Finance is hereby authorized to issue a draft in the amount of \$10,500.00 to the Clerk of Superior Court as compensation to the owners, payment to be made from Account No. 402-4531-01.6012 CBR 007.

(Signed) Donald R. Vaughan

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83-02 RESOLUTION AUTHORIZING AND APPROVING SALE OF LAND TO CARL JOHNSON

WHEREAS, the City of Greensboro owns residual property located on Merritt Drive at Tax Map Number 299-15- portion of lots 6 thru 12, said property being shown on the attached map, for which the City has no governmental or other public need;

WHEREAS, Carl Johnson has offered to purchase a portion of said property at the appraised value of \$6,000.00, which appraisal, in the opinion of the City Council is fair and reasonable.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That pursuant to Section 4.122 of the City Charter, the appraisal of the above mentioned residual property in the amount of \$6,000.00 is hereby approved and the sale of land to Carl Johnson in accordance with the appraisal is hereby authorized; and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper deed to convey said property.

(Signed) Donald R. Vaughan

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84-02 RESOLUTION APPROVING APPRAISAL AND AUTHORIZING PURCHASE OF PROPERTY OF CONE MILLS CORP. ADJOINING THE SMITH CENTER FOR PARKS AND RECREATION

WHEREAS, in Cone Mills Corp. has offered to sell the property adjoining the Smith Center run by Parks and Recreation, located at Tax Map No. 252-101-2, said property being shown on the attached map;

WHEREAS, the required property has not been appraised but the parties have agreed on a purchase price of \$80,000.00, approximately \$600.00 more than the tax value and being \$1.03 per square foot, which purchase price, in the opinion of the City Council, is fair and reasonable;

WHEREAS, the owner has agreed to convey said property to the City at the agreed price and it is deemed in the best interest of the City to acquire said property.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the purchase price of the above mentioned property in the amount of \$80,000.00 is hereby approved, and the purchase of the property in accordance with said price is hereby authorized, payment to be made from Account No. 410-5004-02.6011.

(Signed) Donald R. Vaughan

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85-02 RESOLUTION AUTHORIZING ENCROACHMENT AGREEMENT FOR PARKING DECK OF BL GREENSBORO LIMITED PARTNERSHIP INTO RIGHT OF WAY OF PEMBROKE ROAD

WHEREAS, BL Greensboro, Limited Partnership, has requested that the City permit the existing overhang of the parking deck located at the northwest intersection of Pembroke Road and Northline Avenue, which, at its maximum, intrudes into the right of way of Pembroke Road approximately 2.8 feet and decreases over a period of 11.9 feet until it ceases;

WHEREAS, the owner has agreed to enter into an Agreement with the City of Greensboro which, among other things, will indemnify the City from any claim or damages that may occur due to the overhang being located over Pembroke Road;

WHEREAS, it is deemed in the best interest of the City to permit the encroachment of said building in accordance with the terms and conditions of an Agreement presented herewith this day:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro an appropriate encroachment Agreement with BL Greensboro Limited Partnership for the overhang of the parking deck located over Pembroke Road all in accordance with the terms and conditions set out therein.

(Signed) Donald R. Vaughan

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86-02 RESOLUTION CALLING A PUBLIC HEARING FOR MAY 7, 2002 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – LOCATED AT 5234 HILLTOP ROAD – 6.80 ACRES

WHEREAS, the owner of all the hereinafter described property, which is contiguous to the City of Greensboro, have requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 31 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 7th day of May, 2002, the following ordinance was introduced:



AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED AT 5234  
HILLTOP ROAD – 6.80 ACRES)

Section 1. Pursuant to G.S. 160A-31, the hereinafter described territory is hereby annexed to City of Greensboro:

*BEGINNING at a point in the existing Greensboro corporate limits (as of February 28, 2002), said point being within the right-of-way of Hilltop Road and lying N 01° 18' 03" E 11.94 feet from a north corner of Adams Farm – Tract "R", as recorded in Plat Book 94, Page 126 in the Office of the Register of Deeds of Guilford County; THENCE DEPARTING FROM THE EXISTING CITY LIMITS N 01° 18' 03" E approximately 60 feet, crossing Hilltop Road, to a point in its north right-of-way line; thence in an easterly direction along said north right-of-way line approximately 800 feet to the southwest corner of Property of Betty A. Glass, as recorded in Plat Book 60, Page 43 in the Office of the Register of Deeds; thence N 04° 43' 30" E 701.88 feet along the west line of Glass to the northwest corner of Glass, said corner being in the existing Greensboro city limits; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS the following courses and distances: S 84° 58' 45" E 252.78 feet to a point, S 00° 26' 20" W 204.38 feet to a point, S 12° 26' 40" E 74.71 feet to a point, S 45° 54' 40" E 55.30 feet to a point, S 05° 22' 30" E 89.37 feet to a point, S 23° 40' 45" E 72.34 feet to a point, S 58° 55' 40" W 20.66 feet to a point, S 20° 21' 30" E 34.26 feet to a point, S 05° 36' 40" W 44.74 feet to a point, S 27° 46' 15" E 53.74 feet to a point, S 02° 41' 40" E 75.75 feet to a point in the north right-of-way line of Hilltop Road; thence continuing with the existing city limits in a southerly direction approximately 60 feet to a point within the right-of-way of Hilltop Road and then in a westerly direction approximately 1,200 feet to the point and place of BEGINNING, and containing approximately 6.80 acres.*

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after July 31, 2002, the liability for municipal taxes for the 2002-2003 fiscal year shall be prorated on the basis of 11/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2002. Municipal ad valorem taxes for the 2003-2004 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after July 31, 2002.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That Tuesday, May 7, 2002 at 6:00 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than April 27, 2002.

(Signed) Donald R. Vaughan

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87-02 RESOLUTION AUTHORIZING CHANGE ORDER IN CONTRACT NO. 2001-07 WITH YATES CONSTRUCTION COMPANY FOR ROADWAY AND INTERSECTION IMPROVEMENTS

WHEREAS, Contract No. 2001-07 with Yates Construction Company provides for various roadway and intersection improvements throughout the City;

WHEREAS, due to special conditions of the Contract, the contract has a 50% extension clause which allows the City to add projects as needed, thereby necessitating a change order in the contract in the amount of \$341,576.00.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That a change order in the above-mentioned contract with Yates Construction Company for various roadway and intersection improvements is hereby authorized at a total cost of \$341,576.00, payment of said additional amount to be made in the amount of \$182,922.00 from Account No. 401-6001-01.6014 CBR .003 and in the amount of \$158,654.00 from Account No. 402-4531-01-6014 CBR .008.

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A motion to approve a report of budget adjustments covering March 1-31, 2002 was unanimously adopted. (A copy of the report is filed in Exhibit Drawer N, Exhibit Number 1, which is hereby referred to and made a part of these minutes.)

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The Mayor introduced an ordinance of the City of Greensboro North Carolina relating to Chapter 7 of the Greensboro Code of Ordinances titled Cable Communications Ordinance, the Franchise Agreement with Cablevision of Greensboro, a division of Time Warner Entertainment Company, L.P. a Delaware Limited Partnership known as Time Warner, to amend the Franchise Agreement to extend the term of the franchise for a period of five years, ending on the 24th day of October, 2009 rather than providing an effective date. The Mayor stated that this was the first reading of the ordinance.

The City Manager stated that Time Warner was in agreement with this item. Mayor Holliday noted that a revised version of the ordinance had been distributed to Council and that no one present wished to speak to this matter.

Councilmember Vaughan moved approval of the first reading of the ordinance. The motion was seconded by Councilmember Gatten; the first reading of the ordinance was approved on the following roll call vote: Ayes: Burroughs-White, Carmany, Gatten, Holliday, Jessup, Johnson, Perkins, Phillips, and Vaughan. Noes: None.

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Councilmember Carmany provided an update on a Sister Cities' project involving the upcoming visit of the Patmus Quartet from Moldova. She distributed information to Council with respect to the Quartet's scheduled concert series.

Councilmember Carmany moved that Irene Stapleton be appointed to the Commission for the Status of Women in the position formerly held by Sarah Malino; this term will expire 15 August 04. The motion was seconded by Councilmember Burroughs-White and unanimously adopted by voice vote of Council.

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Councilmember Perkins requested that staff enhance the process to be followed for developing a scenic

corridor ordinance. He suggested that prior to bringing an ordinance to Council for their consideration, staff first get community input on the ordinance development, followed by Council input in an open session. The City Manager stated staff would provide an update on scenic corridors at the April 23 Briefing.

Councilmember Perkins placed the name of Philip M. Segal, III in the boards and commissions data bank for consideration for future service on the War Memorial Commission.

Councilmember Perkins moved that Tom Hall be appointed to fill the unexpired portion of term of Charles Folds on the Advisory Commission on Trees; this term will expire 15 August 2003. The motion was seconded by Councilmember Gatten and unanimously adopted by voice vote of Council.

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Councilmember Burroughs-White added the name of Therence O. Pickett to the boards and commissions data bank for consideration for future service.

Councilmember Burroughs-White moved that Doris Vincent be appointed to the Commission on the Status of Women to fill the unexpired portion of term of Catherine McGibbony; this term will expire 15 August 2004. The motion was seconded by Councilmember Johnson and unanimously adopted by voice vote of Council.

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Councilmember Vaughan requested an update on a friendly color code system for Greensboro Lakes. The City Manager stated he would provide information in a future *Items for Your Information* to Council.

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Councilmember Johnson requested that the City Council and City Manager look for innovative solutions to address litter on roadways and entry and exit ramps without spending additional funds. The City Manager stated that the City would contact Greensboro Beautiful, the Chamber of Commerce, and various business and civic groups to recruit volunteers.

Councilmember Johnson requested staff's consideration for making roadway improvements in areas of Southeastern Greensboro from Vandalia Road on Elm Street to Painter Boulevard.

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Councilmember Gatten moved that Marsha Glazman be appointed to the Human Relations Commission to fill the unexpired portion of term of Randall Kaplan; this term will expire 15 August 04. The motion was seconded by Councilmember Johnson and unanimously adopted by voice vote of Council.

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Mayor Holliday spoke to litter problems in downtown Greensboro due to weekend activities that required business owners to clean the areas outside their buildings on Monday mornings. He proposed ideas about using volunteer efforts from local businesses to resolve this concern.

The City Manager stated that he would contact the Greensboro Merchants Association and Downtown Greensboro Incorporated to participate in development of a strategy to address this concern and noted that additional expenditure of funds to increase trash pick-up service might be required to achieve a solution.

The Mayor moved that Ronald E. Smith be appointed to serve a term on the Community Resource Board in the position formerly held by Scott Halstead; this term will expire 15 August 03. The motion was seconded by Councilmember Carmany and unanimously adopted by voice vote of Council.

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The City Manager advised of Council's plan to tour the Randleman Dam site following the April 23, 2002 Council Briefing.

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The Manager confirmed with Channel 13 production staff that the upcoming public meeting of the State Legislative Delegation in the Council Chambers on April 30th would be televised live on Channel 13.

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Council discussed various recent and future community events.

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Councilmember Vaughan moved that Council adjourn the meeting. The motion was seconded by Councilmember Perkins, and unanimously adopted by voice vote of Council.

The meeting was adjourned at 6:49 p.m.

SUSAN E. CROTTS  
DEPUTY CITY CLERK

KEITH A. HOLLIDAY  
MAYOR

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